

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SHIRLEY L. PHELPS-ROPER, et al., )

Plaintiffs, )

vs. )

CITY OF MANCHESTER, MISSOURI, )

Defendant. )

Case No. 4:09CV1298 CDP

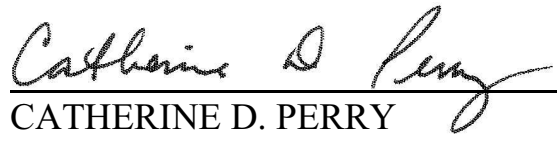
**ORDER**

There are three pending motions in this case: defendant's motion to dismiss, plaintiffs' motion for summary judgment, and defendant's Rule 56(f) motion for more time to respond to plaintiffs' motion for summary judgment. I have considered the arguments on the motion to dismiss, and I believe that plaintiffs have met the pleading standards. I have also carefully considered plaintiff's opposition to defendant's Rule 56(f) motion, but I believe it is appropriate to allow defendant the limited amount of discovery that it seeks. I will grant defendant's Rule 56(f) motion, and allow defendant until March 11, 2010 to respond to plaintiffs' motion for summary judgment. The deadlines in the November 9, 2009 Amended Case Management Order remain in effect.

Accordingly,

**IT IS HEREBY ORDERED** that defendant's motion to dismiss [#26] is denied.

**IT IS FURTHER ORDERED** that defendant's Rule 56(f) motion to continue [#35] is granted. Defendant's response to plaintiffs' motion for summary judgment will be due March 11, 2010, following the Amended Case Management Order entered November 9, 2009.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 10th day of December, 2009.